

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 21

June 26, 2007

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON JUNE 26, 2007

SUBJECT: VEHICLE PURSUIT POLICY - REVISED

**PURPOSE:** This Order clarifies the Department Pursuit Policy in compliance with California Penal Code Section 13519.8 and California Vehicle Code Section 17004.7, both of which provide a public agency immunity from civil liability due to a vehicle pursuit that results in a collision or personal injury.

**POLICY:** It is in the best interest of the public that the Department Pursuit Policy guide officers in decision making while balancing the need for apprehension of an offender against the risk to the public. Reverence for human life is the primary consideration in developing tactics and strategies that uphold our motto, "To Protect and To Serve." The determination to initiate, continue or terminate a pursuit shall take into consideration the known or reasonably suspected offense(s) and the need for apprehension, versus the risk created by the pursuit to innocent motorists, law enforcement officers and the occupant(s) of the fleeing vehicle.

**PROCEDURE:** Sworn personnel shall be familiar with the Department Pursuit Policy and comply with training requirements regarding the pursuit policy, driving techniques, post-pursuit tactics, use of force and administrative review. All sworn personnel shall review this Order and Department Manual Sections 1/555, 3/201 and 4/205. It should be noted that all existing policies and procedures in the Department Manual, not affected by this Order, shall still apply.

**I. INITIATING A PURSUIT.** Officers shall consider the following factors, in addition to those already delineated in the Department Pursuit Policy, in assessing whether to initiate a pursuit:

- \* The speed of the fleeing vehicle, relative to other roadway conditions and factors; and,
- \* Whether there is an unreasonable risk to the public's safety, to the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle.

**II. CONTINUING/TERMINATING A PURSUIT.** The following factors shall be considered, in addition to those already

delineated in the Department Pursuit Policy, in the determination to continue or terminate a pursuit:

- \* The speed of the fleeing and pursuing vehicles shall be evaluated throughout the pursuit with regard to other safety factors;
- \* Whether there is an unreasonable risk to the public's safety, to the pursuing officers' safety or the safety of the occupant(s) in the fleeing vehicle;
- \* The availability of an air unit; and,
- \* Loss of the pursued vehicle, or unknown location of the pursued vehicle.

**III. PURSUITS INVOLVING OTHER LAW ENFORCEMENT AGENCIES.**

Generally, it is poor practice to co-mingle ground units from different agencies during a pursuit. To ensure an Incident Commander (I/C) maintains proper management and oversight, the I/C shall:

- \* Direct, via Communications Division, the appropriate agency to disengage from the pursuit; and,
- \* Make appropriate notifications to officers to ensure effective post-pursuit discipline and avoid co-mingling different agency units at the termination of the pursuit.

**IV. DEPARTMENT MANUAL SECTIONS 1/555 AND 4/205.** The Department Manual shall be amended to contain language and organizational changes.

**A. Department Manual Section 1/555 shall be amended to state,** "The Department Pursuit Policy is comprised of Manual Sections 1/555, 3/201 and 4/205. Refer to all Manual Volumes and Sections for policy, procedures and administrative review of the Department Pursuit Policy."

**B. Department Manual Section 4/205, Vehicle Pursuit Procedures.** Changes to subject headings are identified below in bold type. Subject headings shall be revised in the following order to provide continuity and chronological direction:

- \* Notifying Communications Division;
- \* Control of a Vehicle Pursuit;
- \* **Air Support**/Tracking a Pursuit;

- \* Discontinuing the Pursuit is renamed to **Continuation/Termination of the Pursuit**;
- \* Loss of Pursued Vehicle;
- \* Vehicle Pursuit Driving Tactics;
- \* Vehicle Intervention Techniques;
- \* Hostage Involved Vehicle Pursuit;
- \* Pursuits Requiring Outside Response;
- \* Vehicle Pursuits by Other Law Enforcement Agencies;
- \* Post Pursuit Discipline;
- \* Termination of the Pursuit is renamed to **Apprehension of the Suspect at Pursuit Termination**;
- \* Vehicle Pursuit Report Guidelines;
- \* Traffic Collision Reporting Guidelines; and,
- \* Supervisor's Responsibility at Termination of Pursuit.

**AMENDMENTS:** This Order amends Sections 1/555 and 4/205 of the Department Manual.

**AUDIT RESPONSIBILITY:** The Commanding Officer, Risk Management Group, shall monitor compliance with this Directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON  
Chief of Police

DISTRIBUTION "A"

## SB 719 Pursuit Policy Training Attestation

Internal Agency Use Only – Do Not Send To POST

<b>Officer Identification</b>		
Last	First	Middle
Serial No.	Assignment	
<b>Training Specifications</b>		
Training Date	Location / Course Name	
Presenter Name & Serial No. – If Online Course Leave Blank		
<b>Attestation</b>		
Pursuant to Vehicle Code §17004.7(b)(2), I have received, read, and understand my agency's vehicle pursuit policy.		
Signature		
Print Name	Date	

Sworn Department members - Complete and sign this form.

Area Training Coordinators - Collect and maintain these forms pursuant to Vehicle Code §17004.7(b)(2).

Pursuant to California SB 719, all sworn personnel shall complete and sign the Pursuit Policy Training Attestation form linked to Special Order No. 21, dated June 26, 2007. The form is on the Department LAN and has been included in the new Pursuit Policy Overview online training course located on the Department's e-Learning website. The Pursuit Policy Training Attestation form is NOT complete until the sworn member has completed the online course AND can attest that he/she has received, read, and understands the Department's vehicle pursuit policy.

All completed Pursuit Policy Training Attestation forms shall be maintained by the concerned Area Training Coordinator and are subject to audit by Training Division personnel. It is imperative that these forms be completed appropriately and maintained on all sworn personnel, pursuant to SB 719, 2006.